

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VICTOR P. KEARNEY,

Appellant,

vs.

Civ. No. 18-1223 MV/JFR

**OFFICIAL COMMITTEE OF UNSECURED
CREDITORS, LOUIS ABRUZZO and BENJAMIN
ABRUZZO, as Trustees of the MARY PAT
ABRUZZO KEARNEY TESTAMENTARY
TRUSTS B and C, U.S. TRUSTEE KEVIN
YEAROUT,**

Appellees.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Proposed Findings of Fact and Recommended Disposition by United States Magistrate Judge John F. Robbenhaar, filed August 2, 2019. Doc. 22. Objections were due by no later than August 16, 2019. The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 22) are **ADOPTED**;

IT IS FURTHER ORDERED that the Abruzzo Appellee's Motion for Sanctions (Doc. 17) is not well taken and is **DENIED**;

IT IS FURTHER ORDERED that Debtor/Appellant's Motion to Dismiss Bankruptcy Appeal (Doc. 15) is well taken and is **GRANTED**.

A handwritten signature in black ink, appearing to read 'Martha Vázquez', is written over a horizontal line.

MARTHA VÁZQUEZ
United States District Judge